



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Atty. Docket: FISHMAN=8

In re Application of: ) Conf. No.: 5542  
Pnina FISHMAN )  
Appln. No.: 10/056,484 ) Art Unit: 1632  
Filed: January 28, 2002 ) Examiner:  
For: ADENOSINE A3 RECEPTOR ) Washington, D.C.  
AGONIST ) May 16, 2003  
 )

#4  
D.G.  
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**RECEIVED**

MAY 19 2003

TECH CENTER 1600/2900

**INFORMATION DISCLOSURE STATEMENT [IDS]**

Honorable Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir :

This Information Disclosure Statement is submitted in accordance with 37 CFR §§1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

[X] 1. This IDS should be considered, in accordance with 37 CFR §1.97, as it is filed:

(Check one of the boxes A-D)

[ ] A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.

[X] B. before the mailing date of a first office action on the merits or before the mailing of a first Office

action after the filing of a Request for Continued Examination under 37 C.F.R. §1.114.

[ ] C. after (A) and (B) above, but before final rejection or allowance, and Applicants have made the necessary certification (box "i" below) or paid the necessary fee (box "ii" below).

(Check one of the boxes "i" and "ii" below:)

[ ] i. Counsel certifies that, upon information and belief, each item of information listed herein was either

[ ] (a) first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or

[ ] (b) not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in §1.56(c) more than three months prior to the filing of this IDS.

**(use one and delete other of following)**

[ ] ii. A check (check no. \_\_\_\_\_) for the fee set forth in §1.17(p), presently believed to be \$180, is enclosed. If the enclosed payment is incorrect, please charge any additional fees or credit any overpayment to Deposit Account No. 02-4035.

[ ] ii. Credit Card Payment Form, PTO-2038, is attached authorizing payment of the fee set forth in §1.17(p), presently believed to be \$180. If the enclosed payment is incorrect, please charge any additional fees or credit any overpayment to Deposit Account No. 02-4035.

[ ] D. after (A), (B) and (C) above, but before payment of the issue fee: Applicant(s) state as follows under 37 CFR §1.97(e) for consideration of this IDS, that, upon information and belief, each item of information listed herein was either

(Check one of the boxes "a" and "b" below)

- [ ] (a) first cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or
- [ ] (b) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was not known to any individual designated in §1.56(c) more than three months prior to the filing of this IDS.

**(use one and delete other of following and this note)**

A check (check no. \_\_\_\_\_) for/ Credit Card Payment Form, PTO-2038, is attached authorizing payment of the fee set forth in §1.17(i), presently believed to be \$180 is enclosed. If the enclosed payment is incorrect, please charge any additional fees or credit any overpayment to Deposit Account No. 02-4035.

[X] 2. In accordance with 37 CFR §1.98, this IDS includes a list (e.g., form PTO-1449) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached, except as explained below.

(check boxes A and/or B and fill in blanks, if appropriate)

[ ] A. Document(s) \_\_\_\_\_ is (are) deemed substantially cumulative to document(s) \_\_\_\_\_, and, in accordance with §1.98(c), only a copy of each of the latter documents is enclosed.

[ ] B. Certain documents were previously cited by or submitted to the Office in the following prior application(s), which are relied upon under 35 U.S.C. 120:

*(insert serial numbers and filing dates of prior applications)*

Applicant(s) identifies these documents by attaching hereto copies of the forms PTO-892 and PTO-1449 from the files of the prior application(s) or a fresh PTO-1449 listing these documents, and request that they be considered and made of record in accordance with §1.98(d). Per 37 CFR §1.98(d), copies of these documents need not be filed in this application.

[ ] 3. Document(s) \_\_\_\_\_ is (are) not in the English language. In accordance with §1.98(a)(3), Applicant(s) states:

[ ] An English translation of each document \_\_\_\_\_ (or of the pertinent portions thereof), or a copy of each corresponding English-language patent or application, or English-language abstract (or claim) is enclosed.

[ ] A concise explanation of the relevance of document(s) \_\_\_\_\_ is found in the attached \_\_\_\_\_ search report (see reply to Comment 68 in the preamble to the final rules; 1135 OG 13 at 20).

[ ] A concise explanation of the relevance of document(s) \_\_\_\_\_ is set forth as follows:

*(insert concise explanation of relevance)*

[ ] A concise explanation of the relevance of document(s) \_\_\_\_\_ can be found on page(s) \_\_\_\_\_ of the specification.

[ ] A concise explanation of document(s) \_\_\_\_\_ can be found on the attached sheet.

[X] 4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).

[ ] 5. Other information being provided for the examiner's consideration follows:

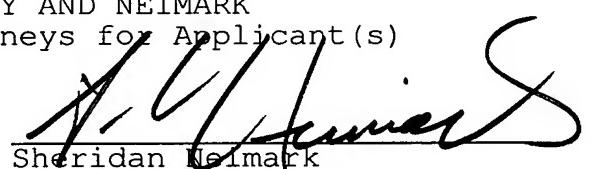
*(insert other information)*

6. In accordance with 37 CFR §§1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant(s) reserves the right to prove that the date of publication is in fact different.

Respectfully submitted,

BROWDY AND NEIMARK  
Attorneys for Applicant(s)

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Substitute for form 1449A/PTO

# INFORMATION DISCLOSURE STATEMENT BY APPLICANT

(use as many sheets as necessary)

Sheet 1 of 2

Complete if Known

Application Number	FISHMAN=8
Filing Date	February 28, 2002
First Named Inventor	Pnina FISHMAN
Group Art Unit	1632
Examiner Name	

Attorney Docket Number

FISHMAN=8

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY
		Number	Kind Code <sup>2</sup> (if known)		
	AA	5,962,331		Fishman et al	10-05-1999

## FOREIGN PATENT DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Number			Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T <sup>6</sup>
		Office <sup>3</sup>	Number	Kind Code <sup>5</sup> (if known)				
	AB	WO	99/02143	A2	Can-Fite Technologies Ltd.	01-21-1999		
	AC	WO	01/07060	A1	Can Fite Technologies Ltd.	02-01-2001		
	AD	WO	01/19360	A2	Can-Fite Technologies Ltd.	03-22-2001		

## OTHER PRIOR ART - NON PATENT LITERATURE DOCUMENTS

Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	AE	BAR-YEHUDA et al, "Oral administration of muscle derived small molecules inhibits tumor spread while promoting normal cell growth in mice" <u>Clin Exp Metastasis</u> 17(6):531-535 (1999)	
	AF	DJALDETTI et al, "Muscle cells produce a low molecular weight factor with anti-cancer activity", <u>Clin Exp Metastasis</u> 14(3):189-196 (1996)	
	AG	FISHMAN et al, "Adenosine and other low molecular weight factors released by muscle cells inhibit tumor cell growth", <u>Cancer Res</u> 58(14):3181-3187 (1998)	
	AH	FISHMAN et al, "Adenosine acts as a chemoprotective agent by stimulating G-CSF production: a role for A1 and A3 adenosine receptors", <u>J Cell Physiol</u> 183(3):393-398 (2000)	
	AI	FISHMAN et al, "Adenosine acts as an inhibitor of lymphoma cell growth: a major role for the A3 adenosine receptor", <u>Eur J Cancer</u> 36(11):1452-1458 (2000)	
	AJ	IOCHIM HL, "Tumor cells within skeletal muscle cells", <u>Hum Pathol</u> 14(10):923-924 (1983)	

Examiner Signature	Date Considered
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\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> See attached Kinds of U.S. Patent Documents. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

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(use as many sheets as necessary)

Sheet

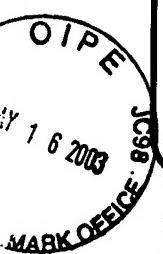
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First Named Inventor	Pnina FISHMAN
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Examiner Initials*	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T <sup>2</sup>
	AK	JACOBSON KA, "Adenosine A3 receptors: novel ligands and paradoxical effects", <u>Trends Pharmacol Sci.</u> 1998 May;19(5):184-91	
	AL	KOHNO et al, "Induction of apoptosis in HL-60 human promyelocytic leukemia cells by adenosine A(3) receptor agonists", <u>Biochem Biophys Res Commun</u> 219(3):904-910 (1996)	
	AM	LASSER et al, "Intraskelatal myofiber metastasis of breast carcinoma", <u>Hum Pathol</u> 13(11):1045-1046 (1982)	
	AN	LINDEN J, "Structure and function of A1 adenosine receptors", <u>FASEB J</u> 5(12):2668-2676 (1991)	
	AO	MERIMSKY et al, "Recurrent solitary metastasis of renal cell carcinoma in skeletal muscles", <u>Tumori</u> 76(4):407-409 (1990)	
	AP	PELLEGRINI AE "Carcinoma of the lung occurring as a skeletal muscle mass", <u>Arch Surg</u> 114(4):550 (1979)	
	AQ	SARMA et al, "Intramyofiber metastasis in skeletal muscle", <u>J Surg Oncol</u> 30(2):103-105 (1985)	
	AR	SLATKIN et al, "Intramyofiber metastases in skeletal muscle", <u>Hum Pathol</u> 7(3):347-349 (1976)	
	AS	STILES GL, "Adenosine receptors and beyond: molecular mechanisms of physiological regulation", <u>Clin Res</u> 38(1):10-18 (1990)	

Examiner Signature		Date Considered
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\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> Unique citation designation number. <sup>2</sup> Applicant is to place a check mark here if English language Translation is attached.